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Disarmament Commission
2014 substantive session
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Agenda item 4

Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons

Working paper submitted by the Non-Aligned Movement

I. Introduction

1. The processes and mechanisms underpinning nuclear disarmament and non-proliferation continue to have an important bearing on international peace and security. Over the years, the international community has laid down a normative and legal foundation for nuclear disarmament and non-proliferation.

2. Although the end of the cold war was heralded as a propitious development for the nuclear disarmament and non-proliferation regime, the international community has been unable to further promote international peace and security owing to the lack of progress in such a priority area as nuclear disarmament. The implementation of legal obligations and the further establishment of norms and legal frameworks in the field of nuclear disarmament have been marked by regression and setbacks.

3. The high level of participation at the first-ever high-level meeting of the General Assembly on nuclear disarmament in 2013 and strong expression of support for the complete elimination of nuclear weapons as a priority are clear manifestations of the critical importance of nuclear disarmament to international peace and security. They indicate once again that the international community remains deeply concerned about the threat to humanity posed by the continued existence of nuclear weapons and of their possible use or threat of use, and that it continues to believe that the only absolute guarantee against the use or threat of use of nuclear weapons is their total elimination.

4. The Non-Aligned Movement attaches great importance to the agenda item on "Achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons" to be discussed by the United Nations Disarmament Commission. It is of the view that, in formulating concrete recommendations on this subject, the Commission should take into account the security interests of all States and the long-standing international obligation for the total elimination of nuclear weapons.

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5. The Movement reiterates its long-standing principled positions on nuclear disarmament as also contained in the Declaration and Final Document of its summit held Tehran in 2012.

6. The Movement wishes to put forward the following recommendations for their inclusion in the outcome document of the current cycle of the Disarmament Commission and reserves its right to propose further recommendations during the Commission's meetings.

II. Principles

7. The call for the elimination of nuclear weapons made by the General Assembly in its first resolution continues to be valid, and the Final Document of the Tenth Special Session of the General Assembly, on disarmament, continues to be significant and relevant.

8. Nuclear disarmament continues to be the highest priority and the ultimate goal of nuclear disarmament is the complete elimination of nuclear weapons.

9. The total elimination of nuclear weapons is the only absolute guarantee against the danger of a nuclear war, threat of use or use of nuclear weapons, as well as their unauthorized, unintentional or accidental use.

10. Nuclear disarmament and non-proliferation of nuclear weapons in all its aspects are essential for the prevention of the danger of nuclear war and the strengthening of international peace and security.

11. Nuclear disarmament and nuclear non-proliferation are mutually reinforcing processes. The efforts aimed at non-proliferation of nuclear weapons should be parallel to simultaneous efforts aiming at nuclear disarmament.

12. Progress on nuclear non-proliferation should not be used as a pretext to procrastinate with respect to progress on nuclear disarmament.

13. In the task of achieving the goals of nuclear disarmament, all the nuclear-weapon States, in particular those which possess the largest nuclear arsenals, bear a special responsibility.

14. Reductions in deployments and in operational status cannot substitute irreversible cuts in, and the total elimination of, nuclear weapons.

15. Transferring, sharing and receiving any nuclear weapon or nuclear explosive devices are contrary to the objectives of nuclear disarmament and non-proliferation of nuclear weapons.

16. It is necessary for all States to fulfil their obligations on nuclear disarmament and non-proliferation in good faith.

17. It is necessary for nuclear-weapon States to immediately fulfil their legal obligations and implement their unequivocal undertaking to accomplish the total elimination of their nuclear arsenals.

18. The importance of multilateralism and the United Nations in nuclear disarmament is stressed, as well as, in this context, the central role and continued relevance of the disarmament machinery.

19. Multilateralism is the core principle of negotiations in the area of disarmament and non-proliferation.

20. The Conference on Disarmament remains the sole multilateral disarmament negotiating body. The Disarmament Commission remains the specialized deliberative body within the disarmament machinery.

21. There is an obligation to pursue in good faith and to bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control, as also reflected in the unanimous conclusion of the International Court of Justice.

22. It is necessary to start negotiations in the Conference on Disarmament, without further delay, on a comprehensive nuclear weapons convention that sets, inter alia, a phased programme for the complete elimination of nuclear weapons within a specified time frame.

23. Demonstration of political will, in particular by the nuclear-weapon States, is a prerequisite to advancing the work of the disarmament machinery and achieving the objective of nuclear disarmament.

24. The establishment of nuclear-weapon-free zones contributes to attaining the objective of global nuclear disarmament and non-proliferation and to enhancing international peace and security.

25. The establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security and contribute to the achievement of a nuclear-weapon-free world.

26. Peaceful nuclear activities and facilities, whether operational or under construction, are inviolable.

27. Nothing shall affect the inalienable right of all States to develop research, production and use of nuclear energy for peaceful purposes, without discrimination, including the development of a full national nuclear fuel cycle.

28. The growing importance of humanitarian considerations is recognized as being among the fundamental and global concerns in the context of deliberations on nuclear weapons.

III. Recommendations

29. Calls upon all States to continue to accord the highest priority to nuclear disarmament leading to the total elimination of nuclear weapons with a specified time frame and under strict and effective international control.

30. Calls upon the five nuclear-weapon States to fulfil their legal obligations and their unequivocal undertakings on nuclear disarmament and to take the following steps with the objective of complete elimination of nuclear weapons:

(a) To fully comply with their overdue obligations under the Treaty on the Non-Proliferation of Nuclear Weapons;

(b) To fully comply with their legal obligations, under the Treaty on the Non-Proliferation of Nuclear Weapons, not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not to assist, encourage, or induce in

any way any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices;

(c) To cease any effort to upgrade existing nuclear weapons or to research on and develop new types of nuclear weapons or other nuclear explosive devices and their means of delivery;

(d) To exclude the role of any type of nuclear weapons in their own security strategies, concepts, policies or doctrines and those of their allies;

(e) To reduce immediately the operational status of nuclear weapons, including through complete de-targeting and de-alerting, in order to avoid the risks of unintentional and accidental use of such weapons;

(f) To reduce substantively all types of nuclear weapons, pending their total elimination;

(g) To apply the principles of irreversibility, transparency and verifiability to all measures undertaken in the fulfilment of their nuclear disarmament obligations and commitments;

(h) To provide effective, unconditional, non-discriminatory, irrevocable and legally binding security assurances to all non-nuclear-weapon States against the use or threat of use of nuclear weapons under any circumstances;

(i) To conclude safeguards agreements with the International Atomic Energy Agency for enabling the Agency to verify the fulfilment of their nuclear disarmament obligations, including to prevent further diversion of nuclear material from peaceful uses to nuclear weapons or other nuclear explosive devices and to place under the Agency safeguards fissile materials transferred from military programmes;

(j) Not to conduct nuclear-weapon test explosions or any other nuclear explosions, and nuclear-weapon tests in alternative ways, and to close and dismantle any sites for nuclear-test explosions and their associated infrastructure;

(k) To ratify the Comprehensive Nuclear-Test-Ban Treaty as soon as possible to facilitate its early entry into force, which should contribute to the process of nuclear disarmament;

(l) To bring into effect, immediately and unconditionally, the security assurances provided by relevant protocols of the nuclear-weapon-free zone treaties and, in this regard, withdraw any reservations or unilateral interpretative declarations that are incompatible with the object and purpose of such treaties.

31. Calls upon the non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to fulfil their obligations under the Treaty not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices, whether directly or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

32. Underlines the importance for all States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to fully implement the resolution and decisions on nuclear disarmament adopted at the Review Conferences of the Parties to the Treaty.

33. Reaffirms the long-standing strong global support for the speedy establishment of a nuclear-weapon-free zone in the Middle East, as also called for by the General Assembly in its consensus resolution 68/27, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East", and in relevant resolutions of the Security Council, as a matter of priority, and, pending its establishment, demands that Israel renounce possession of nuclear weapons and accede, without any precondition and further delay, as a non-nuclear-weapon State to the Treaty on the Non-Proliferation of Nuclear Weapons, as also called for in the relevant decisions of the Review Conferences.

34. Underlines the importance for all States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to intensify their individual and collective efforts aimed at the full implementation of all decisions and resolutions on the establishment of a nuclear-weapon-free zone in the Middle East adopted at the 1995, 2000, and 2010 Review Conferences.

35. Calls for practical steps for the convening of the conference on the establishment of a zone free of nuclear and all other weapons of mass destruction in the Middle East, without any further delay.

36. Recognizes the contribution by the nuclear-weapon-free zones established by the Treaties of Tlatelolco, Rarotonga, Bangkok, Pelindaba and Semipalatinsk to advancing the objective of nuclear disarmament and non-proliferation and, in this context, supports the institutionalization of the nuclear-weapon-free status of Mongolia.

37. Calls for the total and complete prohibition of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices, and of the extension of assistance in the nuclear-related scientific or technological fields to Israel.

38. Stresses the significance of achieving universal adherence to the Comprehensive Nuclear-Test-Ban Treaty, including by all nuclear-weapon States, which, inter alia, should contribute to the process of nuclear disarmament.

39. Recognizes the past achievements of the disarmament machinery established at the first special session of the General Assembly devoted to disarmament, expresses full support for the integrity of this machinery, and urges all States, in particular nuclear-weapon States, to demonstrate strong political will in order to advance the work of the disarmament machinery.

40. Urges the Conference on Disarmament to agree as soon as possible on a balanced and comprehensive programme of work in order for it to start substantive work.

41. Urges the Conference on Disarmament to establish an ad hoc committee on nuclear disarmament as soon as possible and as the highest priority.

42. Urges all States to refrain, under all circumstances, from any attack or threat of attack against peaceful nuclear facilities, whether operational or under construction.

43. Calls for strengthening the role of the International Atomic Energy Agency, in particular in support of the full realization of the inalienable right of States to develop research, production and use of nuclear energy for peaceful purposes.

44. Calls for nuclear non-proliferation and nuclear security not to be misused to violate, deny or restrict the inalienable right of States to develop research, production and use of nuclear energy for peaceful purposes without discrimination.

45. Calls for an early commencement of negotiations on universal and legally binding security assurances by the nuclear-weapon States to all non-nuclear-weapon States against the use or threat of use of nuclear weapons under any circumstances.

46. Calls for the full implementation of General Assembly resolution 68/32 entitled "Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament".

47. Calls for the urgent commencement of negotiations, in the Conference on Disarmament, for the early conclusion of a comprehensive convention on nuclear weapons to prohibit their possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use, and to provide for their destruction.

48. Recommends the proclamation by the General Assembly of a "Decade for nuclear disarmament and total elimination of nuclear weapons".

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Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons

Working paper submitted by Iraq on behalf of the States members of the League of Arab States

Our recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons are as follows:

1. Disarmament and international security issues can be addressed sustainably only through multilaterally agreed solutions in accordance with the Charter of the United Nations. All Member States must therefore abide by their individual and shared commitments to foster multilateral cooperation.

2. Instead of bringing about regional and international peace and security, the possession, acquisition and development of nuclear weapons will increase instability. The complete and definitive eradication of nuclear weapons is the only way to eliminate the threat or use of those weapons.

3. The Conference on Disarmament, the Disarmament Commission and the First Committee of the General Assembly play a key role in multilateral efforts to promote disarmament, in accordance with the mandate established by the first special session of the General Assembly devoted to disarmament, held in 1978, which affirmed that measures of nuclear disarmament have the highest priority.

4. The Arab States are concerned at the continued stagnation of the United Nations disarmament mechanisms, in particular the Conference on Disarmament, which is the sole international forum for multilateral negotiations on disarmament, and call for practical steps to be taken to revitalize those mechanisms. To achieve that objective, Member States are urged to demonstrate flexibility and the necessary political will.

5. The Arab States reaffirm that the Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of the nuclear non-proliferation and disarmament

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regime, and that action should be taken to strengthen compliance with the Treaty and ensure its universality.

6. The Arab States recall the advisory opinion issued by the International Court of Justice on 8 July 1996 concerning the legality of the threat of use of nuclear weapons in which the Court found that there exists an obligation to pursue in good faith, and bring to a conclusion, negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

7. The Arab States welcome the efforts made towards the voluntary reduction of the number of nuclear warheads, but emphasize that such action cannot substitute nuclear disarmament efforts aimed at the complete eradication of those weapons. The relevant legal obligations and resolutions must therefore be upheld.

8. The Arab States welcome General Assembly resolution 68/32, entitled "Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament", adopted on 5 December 2013.

9. The Arab States welcome the declaration by the General Assembly of 26 September as the International Day for the Total Elimination of Nuclear Weapons and its decision to convene, no later than 2018, a United Nations high-level international conference on nuclear disarmament to review the progress made in that regard.

10. The Conference on Disarmament, as the sole multilateral negotiating body on disarmament, should be urged to devise, in accordance with the request of the first special session of the General Assembly devoted to disarmament, a comprehensive and balanced programme of work that will include the commencement of negotiations concerning:

- A comprehensive treaty that would prohibit the possession, development, production, acquisition, testing, stockpiling, transport and use or threat of use of nuclear weapons, and provide for their destruction;
- Nuclear disarmament with a view to gradually eliminating nuclear weapons within a specified time frame, resulting in their complete, non-discriminatory and verifiable elimination;
- A ban on the use and future production of fissile materials for military purposes that also addresses the stockpiling of those materials by nuclear-weapon States, with a view to ensuring that non-proliferation issues do not overshadow efforts to promote disarmament;
- International arrangements to provide non-nuclear-weapon States parties with unconditional and legally enforceable security guarantees that they will not be subject to the use or threat of use of nuclear weapons against them by the five nuclear Powers, until such time as nuclear weapons have been completely eliminated.

11. The Arab States reaffirm the importance of universalizing the Comprehensive Nuclear-Test-Ban Treaty and facilitating its entry into force. States that have yet to ratify that Treaty should be encouraged to do so, particularly nuclear-weapon States, which bear fundamental responsibility in that regard.

12. The Arab States underline the importance of the Second Conference on the Humanitarian Impact of Nuclear Weapons, held in Nayarit, Mexico, on 13 and

14 February 2014. The Conference heard that no party has the capacity to address the aftermath of deliberate or accidental nuclear explosions. The Arab States welcome the offer of Austria to host the next meeting on the topic.

13. The Arab States affirm the inalienable right of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to benefit from the peaceful uses of nuclear energy, as provided for in the Treaty. They reject attempts to restrict or limit that right while privileges are granted to certain States not parties to the Treaty.

14. The Arab States emphasize that States' national decisions to benefit from the peaceful uses of nuclear energy should be respected; no steps should be taken that could hamper or negatively affect international cooperation on peaceful technologies with those States, so long as they remain committed to the safeguards agreements concluded with the International Atomic Energy Agency. It should be affirmed that the Agency is the authority with sole responsibility for verifying State compliance with commitments under the Treaty.

15. The Arab States reiterate their support for the establishment of nuclear-weapon-free zones throughout the world, particularly in the Middle East. The establishment of those zones would strengthen efforts towards nuclear disarmament, enhance the security of the concerned States and bring us closer to our overarching goal, namely the realization and preservation of international peace and security.

16. The Arab States reaffirm that the establishment of a Middle East zone free of nuclear and other weapons of mass destruction is a collective responsibility. The resolution on the Middle East that was adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, concerning the establishment of a Middle East zone free of nuclear and other weapons of mass destruction, represents the principle and central pillar of the Treaty indefinite extension package.

17. The Arab States emphasize that there is a pressing need to implement the practical steps to enforce the 1995 resolution on the Middle East that were contained in the action plan of the 2010 Review Conference and note that the Secretary-General and the three co-sponsors of the 1995 resolution, in consultation with the States of the region, were mandated to convene a conference in 2012 on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction.

18. The Arab States call for that Conference to be convened in 2014 at the earliest opportunity. Any postponement will impact negatively on the credibility of the Non-Proliferation Treaty, the review process and the resolutions agreed by the international community. All States of the region, with the exception of Israel, expressed their readiness to participate in the 2012 Conference.

19. The Arab States call upon the Agency to halt the technical programmes provided to Israel. Cooperation with Israel on nuclear issues should be suspended until it accedes to the Treaty as a non-nuclear-weapon State and places all its nuclear facilities under an International Atomic Energy Agency comprehensive safeguards agreement. Those steps are a necessary precondition in order to promote the universality, credibility and effectiveness of the Treaty.